

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF WISCONSIN

CHRISTOPHER S. CARSON,

Plaintiff,

v.

Case No. 18-CV-1571

KIRSTJEN MICHELE NIELSEN, et al.,

Defendants.

ORDER

On December 13, 2018, the defendants moved to dismiss this action. (ECF No. 31.) Christopher S. Carson, who is an attorney representing himself in this action, was served that same day by way of the court's electronic-filing system. *See* Fed. R. Civ. P. 5(b)(2)(E); *see also* Fed. R. Civ. P. 5, Committee Note to the 2018 Amendment. Carson responded on January 8, 2019. (ECF No. 33.) Carson's response is untimely. *See* Civ. L.R. 7(b) (E.D. Wis) ("For all motions other than those for summary judgment or those brought under Civil L. R. 7(h) (Expedited Non-Dispositive Motion Practice), any memorandum and other papers in opposition must be filed within 21 days of service of the motion."); *see also* Fed. R. Civ. P. 6(a). Moreover, Carson's response failed to comply with General Local Rule 5(a)(5) and Federal Rule of Civil Procedure 11(a).

Consequently, Carson's response (ECF No. 33) is hereby stricken. Carson may promptly resubmit a response that fully complies with all applicable rules. Moreover, any response must be accompanied by a motion for leave to file instanter wherein Carson demonstrates that his failure to timely respond was the result of excusable neglect, *see* Fed. R. Civ. P. 6(b)(1)(B). Failure to comply will result in the court granting the defendant's motion as unopposed. *See* Civ. L.R. 7(d).

SO ORDERED.

Dated at Milwaukee, Wisconsin this 9th day of January, 2019.


WILLIAM E. DUFFIN
U.S. Magistrate Judge